

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
Transcriber's Office

January 29, 1999 LR 11

implement the changes, in other words to do the ministerial changes in the constitution. Has this been done before? Not that I am aware of. The legal question is, is this something that is legally possible to do? I believe that it is. Why would I...why do we want to do this instead of go piecemeal? Two reasons is that you would probably have a number, you may have seven, eight, nine, ten different amendments that may have various parts to it on the ballot. Voters say, well, it is so confusing I don't know about part A, I don't know about part B, and you will get a haphazard vote, perhaps, or some will say I just don't...it doesn't look like it's a big change. This one can be easily packaged and explained. Here's...here's for one vote what you will do and how it will be carried out. The fears that I have, would there be substantive changes in the constitution? No, and as for the Secretary of State, I think, and he testified at the public hearing, that, obviously, his duty or his obligation would be to come in and comply with the sections to just change the gender and not change any substantive meanings. Somebody says, well, why do we go about doing this at all? Why don't we just leave it the way it is? The (inaudible) have been just fine and we've gotten along all these years and don't worry about it. One, if you start to read through the constitution, it does become rather a difficult document to read, rather offensive without having all those references but, two, there are some substantive questions if you don't, and one of them is, for example, in the area of the courts. And it talks here in Article V, Section 4, and you're talking about the judges shall reside at the place the court is located, but no judge shall be deemed to have lost his residence from where he was selected. So does that mean if there are women who have been appointed to the court that they don't? To remove that ambiguity we think it is appropriate. I think that this is one that has received uniform support and would be happy to answer any questions, and if any of you have questions about the procedure, I do think that is a legitimate issue as to the power to do this. I'm comfortable that you can do this since you make specific reference to the new section that that is our intent to just make it gender neutral. With that, I'd be happy to answer any questions and would urge the body to advance this on to E & R Initial.

SENATOR CROSBY: Thank you, Senator Kristensen. Discussion on